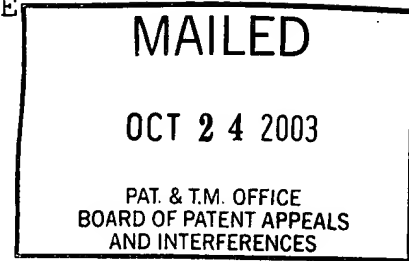


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte GILLES BOCCON-GIBOD and DAVID L. MCLAREN

Application No. 08/913,803

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on October 9, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

Appellants filed an amendment (Paper No. 18) on October 24, 2002. The examiner has not indicated the status on entry or non-entry of the amendment. Before further review of this file, the examiner must provide a clear indication of the disposition of this amendment.

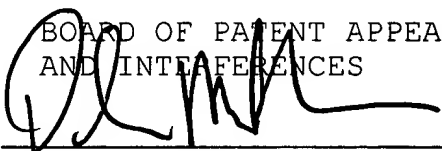
Application No. 08/913,803

If the amendment filed October 24, 2002, is presumed to be entered, it is noted that the brief filed April 23, 2003 (Paper No. 23) is defective, for it no longer contains an accurate appendix of claim 16, pursuant to 37 CFR § 1.192(c)(9).

Accordingly, it is

ORDERED that this application be returned to the examiner for: 1) status on entry or non-entry of the amendment filed October 24, 2002; 2) if the amendment filed October 24, 2002 is presumed to be entered, notification to appellants to correct the defective appendix of the brief; and 3) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

By:  BOARD OF PATENT APPEALS
AND INTERFERENCES
Dale M. Shaw
Program and Resource Administrator
(703) 308-9797

Appeal No. 2002-0585
Application No. 09/088,307

cc: Joseph S. Tripoli, Patent Operations
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DMS/tdl/mh
RA04-0037